

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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|----------------------------------------|---|----------------------------------|
| ELAINE AGHAEPOUR, ANNE BARR, BRUCE | : | |
| DRAGO, JULIE HIGGINS, SHANE MOORE, | : | |
| MICHELE NORRIS, JESUS RIVERA, and HONG | : | Index No.: 14-CV-5449 (NSR)(AEK) |
| ZHANG, | : | |
| | : | |
| Plaintiffs, | : | AMENDED CIVIL CASE |
| | : | DISCOVERY PLAN AND |
| | : | <u>SCHEDULING ORDER</u> |
| -against- | : | |
| | : | |
| NORTHERN LEASING SYSTEMS, INC., MBF | : | |
| LEASING, LLC, LEASE FINANCE GROUP, | : | |
| LLC, LOUIS CUCINOTTA, JENNIFER | : | |
| CENTENO a/k/a JENNIFER NUGENT, JAY | : | |
| COHEN, SARA KRIEGER, JOSEPH I. | : | |
| SUSSMAN, and JOSEPH I. SUSSMAN, P.C., | : | |
| | : | |
| Defendants. | : | |

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This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c).
2. Plaintiff maintains that this case is to be tried to a jury. Defendants maintain that this case is to be determined by non-jury trial as the contracts at issue provide for waiver of right to trial by jury.
3. Interrogatories were served by July 26, 2019. Initial responses and objections thereto were served by September 9, 2019. The parties have continued to meet and confer on the initial responses. Supplemental demands, if any, are to be served by July 1, 2021. Responses to be served by August 16, 2021. The provisions of Local Civil Rule 33.3 shall apply to this case.
4. Request for production of documents were served by July 26, 2019. Initial responses and objections thereto were served by September 9, 2019. The parties have continued to meet and confer on the initial responses and productions. . Supplemental demands, if any, are to be served by July 1, 2021. Responses to be served by August 16, 2021.
5. As the Court is aware, there have been numerous discussions concerning document productions. At this time, the parties are working cooperatively on the demands and do not need further intervention by the Court.

6. Non-expert depositions shall be completed by December 17, 2021.
 - a. The parties agree that the number of depositions per side shall be extended from 10 to 12.
 - b. Depositions shall proceed concurrently.
 - c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.
7. Any further interrogatories, including expert interrogatories, shall be served no later than January 24, 2022.
8. Requests to Admit, if any, shall be served no later than January 24, 2022.
9. Expert reports shall be served no later than February 4, 2022.
 - a. Plaintiffs are to identify experts and produce the material required by Rule 26, other than the expert report by December 17, 2021.
 - b. Defendants are to identify experts and produce the material required by Rule 26 other than the expert report by January 14, 2022.
 - c. Rebuttal expert designations, if any, are to be made by February 15, 2022.
10. Rebuttal expert reports shall be served no later than March 11, 2022.
11. Expert depositions shall be completed by April 15, 2022.
12. Supplemental expert reports, if any, shall be served no later than May 2, 2022.
13. ALL DISCOVERY SHALL BE COMPLETED BY May 31, 2022.
14. Any motions shall be filed in accordance with the Court's Individual Practices.
15. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
16. The Magistrate Judge assigned to this case is the Hon. Andrew E. Krause.
17. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.

18. The next conference is set for June 2, 2021 before Magistrate Judge Andrew E. Krause.

SO ORDERED.

Dated: White Plains, New York
_____, 2021

_____, U.S. _____ Judge